

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CONFEDERATED TRIBES AND  
BANDS OF THE YAKAMA  
NATION, a federally recognized  
Indian tribal government and as *parens  
patriae* on behalf of the Enrolled  
Members of the Confederated Tribes  
and Bands of the Yakama nation;

Plaintiffs,

v.

ERIC H. HOLDER, JR. et al.,

Defendant.

NO: CV-11-3028-RMP

ORDER GRANTING AMENDED  
JOINT MOTION TO DISMISS  
CLAIMS WITH AND WITHOUT  
PREJUDICE AGAINST FEDERAL  
DEFENDANTS

**BEFORE** the Court is the parties' Joint Motion to Dismiss Claims against  
Federal Defendants, ECF No. 310, and the parties' Amended Joint Motion, ECF  
No. 311. Having reviewed the motions and the file and pleadings therein, the  
Court finds good cause to grant dismissal. Accordingly, **IT IS HEREBY**

**ORDERED:**

ORDER GRANTING AMENDED JOINT MOTION TO DISMISS CLAIMS  
WITH AND WITHOUT PREJUDICE AGAINST FEDERAL DEFENDANTS ~ 1

- 1        1. The parties' Amended Joint Motion to Dismiss Claims against Federal  
2           Defendants, **ECF No. 311**, is **GRANTED**, and **ECF No. 310**, is **MOOT**.
- 3        2. Plaintiffs' Complaint and claims against Defendants Eric H. Holder, Jr.;  
4           United States Department of Justice; Robert S. Mueller, III; Federal  
5           Bureau of Investigation; Stacia Hylton; United States Marshals Service;  
6           Kenneth E. Melson; Bureau of Alcohol, Tobacco, Firearms, and  
7           Explosives; Douglas H. Shulman; Internal Revenue Service; John J.  
8           Manfreda; Alcohol and Tobacco Tax and Trade Bureau; Timothy  
9           Geithner; United States Department of Treasury; and United States of  
10          America are dismissed **without** prejudice and without an award of fees or  
11          costs to any party.
- 12       3. Plaintiffs' *Biven* claims relating only to the February 16, 2011, entry  
13          upon Yakama Reservation trust lands, against Defendants Federal Bureau  
14          of Investigation Special Agent Matthew A. Bullwinkel, John Doe Federal  
15          Agent Goodpasture, and John Doe FBI Agents are dismissed **with**  
16          prejudice and without an award of fees or costs to any party.
- 17       4. All pending motions, if any, are **DENIED AS MOOT**.
- 18       5. All scheduled court hearings, if any, are **STRICKEN**.

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1 The District Court Clerk is directed to enter this Order, enter judgment  
2 accordingly, and provide copies to counsel. This case **remains closed**.

3 **DATED** this 27th day of September 2013.

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5 *s/ Rosanna Malouf Peterson*  
6 ROSANNA MALOUF PETERSON  
7 Chief United States District Court Judge  
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